

Rosemarie Talorico - Re: Meeting with Dr. Livingston

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From: Peter Pappas
 To: pal, neelu
 Date: 3/10/03 3:39PM
 Subject: Re: Meeting with Dr. Livingston

DEFENDANT'S
 EXHIBIT

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Dear Neelu,

The conditions that were explicitly outlined in your non-renewal letter have not changed. You shouldn't worry about any one else's performance but your own. I'm sorry you didn't feel that your meeting with Dr. Livingston was not productive. If you want I will arrange a meeting with Dr. [REDACTED] as well. Your ABSITE score should be available sometime this month. We have a residency committee meeting scheduled for the end of this month. I will make sure your situation is on the agenda for discussion. What ever the decision is at that time I will make sure that you are informed expeditiously. Dr. Pappas

Peter J. Pappas

>>> neelu pal <neelupal10@yahoo.com> 03/09/03 03:56PM >>>

Dear Dr. Pappas,

Thank you for taking the time to reply and helping to facilitating my meeting with Dr. Livingston. I think it is important that you know the details of that meeting - I asked Dr. Livingston if there were any specific incidents that occurred during my trauma rotation in July - August 2002 that had led him to write the unfavorable review. He said that due to the large amount of time that had expired he did not recall any specific incidents. He did state that I was hard working, and that he could not comment on my surgical skills. I asked him what specifically he thought was important for me to demonstrate and how I should go about doing it. His reply - "It would be like me telling you how to breath". Since the entire purpose of a residency training program is for the faculty to mentor and teach residents the skills that were taught to them by others, I found this comment interesting. I did appreciate the fact that he took the time to meet with me.

I also happened to meet Dr. [REDACTED] in the elevator that day. I mentioned to him that per your email I should meet with him and he once again stated essentially that you had told him what to say, and that he would do so, but it may be better if he moderated a discussion between you and I where you could tell me whatever you wanted to say directly.

Once again I am going to contend the following for each of the points that you restated to me in your email as criteria for the non-renewal of my contract -

"if you continue to avoid confrontations with the ancillary staff" - there are other residents who have had tremendous confrontations to the extent of threatening physical violence, have verbally abused and made racially derogatory comments to ancillary staff members. None of these residents have been threatened with the loss of their residency positions. They still demonstrate this behaviour.

"improve your oral presentation skills" - you said that I was one among other residents with this shortcoming. You did mention a speaking course - the Hendricks course, but I am not sure when this is scheduled. In the meantime I am working on the American accent.

"and do better on the ABSITE examination" - On the letter dated Oct 17, 2002 you congratulated me on my performance on the ABSITE, and said there was space to improve. I agreed. Other residents have a much poorer performance and have stated openly that this is never a criterion for their contract not being renewed. Additionally at the pre-ABSITE lecture on January 24th you stated that you were telling us questions that were on the exam and that we should take notes. Indeed all those questions that you gave out were on the exam verbatim. This leads me, and other residents to believe that this examination is of minimal importance for anyone except me.

I saw on your email you wrote to Dr. Livingston that this was a "legal matter". It is a matter that pertains to my residency training, surgical career and the rest of my life. You have chosen to take this step that is going to affect the rest of my life. I am sure that there are specific reasons that have led you to this. Your verbal feedback to me has always been that I am a good resident. You even stated that there are other residents here who are negligent to the extent of leading to patients' deaths. Since you clearly stated that I

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was not one of these, there must be other stronger reasons for this action. As a program director it is your duty to tell me the specific reasons. I have spent 4 months asking you and other faculty members what exactly it is that I should alter and have received no answers except advise to just go along with the situation as it is. As I mentioned in an email earlier there are faculty members and residents who state that there are other motivations

for this situation. I have not altered anything in my behaviour, since I still don't know what I should alter. If the situation continues as such, in April I anticipate that you will find additional reasons not to renew my contract. All I want to do is to learn, complete my residency program here, and be a good surgeon. Since I don't believe that my best interests are being met at this stage, I would like to formally appeal the decision of the program committee at this stage and request a meeting with you, Dr. Deitch, Dr. Baker and the CIR representative. I look forward to your reply.

Sincerely

Neelu Pal

Peter Pappas <pappaspi@umdnj.edu> wrote:

Dear Neelu,

I have spoken with Dr. Deitch regarding the non-renewal of your contract. As per our meeting a couple of weeks ago a final decision will be made in April. As we said, if you continue to avoid confrontations with the ancillary staff, demonstrate an ability to work with the other residents, improve your oral presentation skills and do better on the ABSITE examination, you will more than likely be renewed. I don't know how to make any more clearer to you. These were the conditions outlined in your October 2002 letter. If you would like I will put this in a formal letter, otherwise this email will serve as a confirmation of our previous discussion.

I have also spoken with Dr. [REDACTED] and Dr. Livingston regarding the meetings you requested. Dr. Livingston wants you to call Delores, his secretary and set up a time. Dr. [REDACTED] will speak with you at your convenience. If there is anything else we can do for you please don't hesitate to ask. Dr. Pappas

Peter J. Pappas

>>> neelu pal 03/03/03 05:57PM >>>

Dear Dr. Deitch,

You wrote to me that you would discuss the issue of the non-renewal of my contract with Dr. Pappas last week. My decision to complete my residency training at your program is unchanged. I await your reply to my previous email and letters.

Sincerely

Neelu Pal

"Edwin A. Deitch, M.D." wrote: I will talk with Dr Pappas when he returns next week.

EAD

neelu pal wrote: Dr. Deitch,

I do not want to resign, if I did I would have been gone a long time ago. I feel that I have made every effort to understand and do what is expected of me. I just want the situation to be resolved now. Clearly you are the only one who can do so. If you tell me that you cannot then I will take that to mean that you consider my training and education to be expendable and I will resign immediately.

I take your word very seriously and I know that in April as you have said I will get the contract for next year. I just want it now. I have sent you and Dr. Pappas letters that I have received no reply to. This is what concerns me the most, that the situation is not being addressed.

Sincerely

Neelu Pal

"Edwin A. Deitch, M.D." wrote: Neelu; if you must resign. Resign

EAD

neelu pal wrote: Dear Dr. Pappas,

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I contacted Dr. [REDACTED] on 2/16/3 to set up a meeting with him as per the recommendation made by you and Dr. Pappas during our meeting on 2/6/3. The edited version of Dr. [REDACTED]' statement to me during this conversation * "I have already said what I had to say, I will ask those two (ie you and Dr. Deitch) what it is that they want me to say to you and I will say it".

The entire situation is evolving into a non-productive one for all concerned since I am still not certain what it is that I am expected to alter. You and other faculty members have told me that my academic performance is not the issue since, and I quote have repeatedly told me * "you are a much better resident than most". At the end of my vascular surgery rotation you told me that my performance was excellent. At the end of the blue team rotation Dr. Harrison told me that I did an excellent job. Additionally there are faculty members and senior residents who repeatedly tell me that the entire situation is driven by the fact that I complained about Dr. Brautigan's behavior towards me, as well as racial motivations on the part of certain other faculty members. It is indeed unfortunate that there are so many rumors and half-truths amongst the people that you work with. If perception is indeed reality as you said then the situation has evolved into a really bad one f.

This entire situation is clearly not conducive to my achieving any academic objectives, or attaining any form of professional progress. I urge you once again to resolve this issue as soon as possible otherwise I will be forced to resign.

Sincerely
Neelu Pal

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CC: Baker, Stephen; Deitch, Edwin

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